

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JASON SMITH,
Plaintiff,

v.

SHAWN HATTON, et al.,
Defendants.

Case No. 17-04030 BLF (PR)

**ORDER DENYING MOTIONS FOR
SANCTIONS AND TO STRIKE
REPLY**

(Docket Nos. 58 & 59)

Plaintiff, a California inmate, filed the instant *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against prison officials at the Correctional Training Facility (“CTF”) in Soledad.¹ The Court found that the complaint, liberally construed, stated a cognizable claim under the Eighth Amendment, and ordered the matter served on Defendants. (Docket No. 9.) Plaintiff filed an opposition, (Docket No. 54), and Defendants filed a reply, (Docket No. 55).

Plaintiff filed a motion for sanctions on Defendants for filing an untimely reply brief, and motion to strike the reply. (Docket Nos. 58 and 59.) Defendants filed an opposition to the motions. (Docket No. 62.)

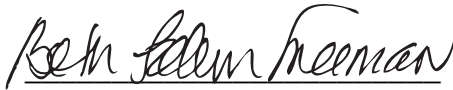
¹ The matter was reassigned to this Court on August 3, 2017, after Plaintiff did not consent to magistrate jurisdiction. (Docket No. 7.)

1 The Court granted Defendants' motion to change time to file their reply, nunc pro
2 tunc, after finding good cause, such that their reply brief was not untimely. (Docket No.
3 63.) Accordingly, Plaintiff's motions are **DENIED** as moot.

4 This order terminates Docket Nos. 58 and 59.

5 **IT IS SO ORDERED.**

6 Dated: 8/8/2018


BETH LABSON FREEMAN
United States District Judge